

The Court, after careful consideration of the plaintiff's complaint (Dkt. No. 3), the parties' briefs, all papers and exhibits filed in support and opposition thereto, the Report and Recommendation (Dkt. No. 18) of the Honorable James P. Donohue, United States Magistrate Judge, and the balance of the record, does hereby find and ORDER:

DATED this 15th day of November, 2007.

JOHN C. COUGHENOUR
United States District Court